

FORM PTO-1390  
(REV. 5-93)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTORNEY/AGENT NUMBER  
10191/1295TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/485325

INTERNATIONAL APPLICATION NO. PCT/DE98/02260	INTERNATIONAL FILING DATE (06.08.98) 6 August 1998	PRIORITY DATES CLAIMED (11.08.97) 11 August 1997
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TITLE OF INVENTION  
**ELLISSOMETER MEASUREMENT APPARATUS**APPLICANT(S) FOR DO/EO/US  
**HAHN, Juergen and KUEHNLE, Goetz**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) immediately rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US)
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNSIGNED)
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern other document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.
  - A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information: Copies of International Search Report, Preliminary Examination Report and Form PCT/RO/101.

EXPRESS NO. *EM360462140US*

U.S. APPLICATION NO. Known/used 37 CFR 1.5  
097485325 INTERNATIONAL APPLICATION NO.  
PCT/DE97/02260ATTORNEY DOCKET NUMBER  
10191/

17.  The following fees are submitted:

## Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) ... \$670.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but  
international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$750.00Neither international preliminary examination fee (37 CFR 1.482) nor international  
search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00International preliminary examination fee paid to USPTO (37 CFR 1.482) and all  
claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00

CALCULATIONS | PTO USE ONLY

## ENTER APPROPRIATE BASIC FEE AMOUNT =

\$840

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

Claims	Number Filed	Number Extra	Rate	
Total Claims	8 - 20 =	0	X \$18.00	\$
Independent Claims	1 - 3 =	0	X \$78.00	\$
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$840
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$
SUBTOTAL =				\$840
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$840
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$
TOTAL FEES ENCLOSED =				\$840
				Amount to be: refunded \$
				charged \$

a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. 11-0600 in the amount of \$840.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

By: Richard L. Mayer (Reg. No. 41,172)

SEND ALL CORRESPONDENCE TO:

Richard L. Mayer  
SIGNATURE

Kenyon & Kenyon  
One Broadway  
New York, New York 10004

Richard L. Mayer, Reg. No. 22,490

NAME

2/7/00

DATE

09/485325  
424 Rec'd PCT/PTO 07 FEB 2000

EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER EM36046214002

DATE OF DEPOSIT 2/7/00

TYPE OF DOCUMENT Pat. Phase 1st App. (C. Hahn et al

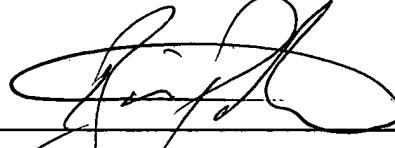
(10911275)

SERIAL NO. To be assigned FILING DATE There with

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

BORIS POLANCO

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)



(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Ellipsometer measurement  
Apparatus